



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,703	07/09/2003	Jonathan J. Oliver	PA3626US	1579
22830	7590	11/28/2007	EXAMINER	
CARR & FERRELL LLP			DUONG, OANH L	
2200 GENG ROAD			ART UNIT	PAPER NUMBER
PALO ALTO, CA 94303			2155	
			MAIL DATE	DELIVERY MODE
			11/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/616,703

Applicant(s)

OLIVER ET AL.

Examiner

Oanh Duong

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-7,10,11,13,14 and 17-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-7,10,11,13,14 and 17-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 10/31/2007.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1, 3-7, 10-11, 13-14, and 17-24.

Claims 2, 8-9, 12, 15-16 have been canceled.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/26/2007 has been entered.

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1, 3-7, 13-14, 17-21, 23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patel et al. (hereinafter, Patel), US 7,149,778 B1, in view of Szutu, us 2001/0047391 A1.

Regarding claim 1, Patel teaches a method for classifying a message comprising:

receiving the message (col. 8 lines 39-40), the message including a message body (col. 3 lines 52-58);

parsing the message body to determine whether the message body includes one or more items of certain type, wherein the one or more items of a certain type may be used to classify the message (*i.e., screen/parse for keywords such as telephone numbers, URLs or e-mail addresses, col.. 5 lines 50-53*);

identifying all instances of the items of a certain type for each of the all instances of items of a certain type identified during parsing of the message body (col. 5 lines 48-55 and col. 4 lines 52-58);

determining whether each of the all instances of the items of a certain type for each one or more items of a certain type meets a criterion (col. 9 lines 7-16), the criterion corresponding to acceptable item (col. 5 lines 4-25);

classifying the message based on whether each of the all instances of the items of certain type for each of the one or more items of a certain type are determined to meet the criterion (col. 8 line 35-col.9 line 6); and

processing the message in accordance with the classification of the message (col. 9 lines 7-16).

Patel does not explicitly teach reducing each of the all instances of the items of a certain type for each of the one or more items of a certain type to a canonical equivalent that identifies a groups of synonymous words, numbers, symbols, or phrases, and

Art Unit: 2155

wherein the canonical equivalent represents each of the all instances of items of a certain type regardless of individual format of each of the all instances of items of the certain type.

Szutu teaches the email system wherein a network-independent preexisting-unique identifier is linked to an e-mail forwarding address (abstract). Szutu teaches reducing each of the all instances of the items of a certain type for each of the one or more items of a certain type to a canonical equivalent that identifies a groups of synonymous words, numbers, symbols, or phrases, and wherein the canonical equivalent represents each of the all instances of items of a certain type regardless of individual format of each of the all instances of items of the certain type (i.e., "performs a normalization to convert the use name of the e-mail address of the incoming email into a normalized incoming email address, page 3 paragraph [0019].

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the e-mail address normalization means as taught by Szutu into the e-mail system of Patel. One would be motivated to do so to circumvent some of the requirements for exact input matching with the registered user input (Szutu, page 2 paragraph [0011]).

Regarding claim 3, Patel teaches the method of claim 1 wherein the items of a certain type include a distinguishing property (col. 9 lines 7-16).

Art Unit: 2155

Regarding claim 4, Patel teaches the method of claim 1, wherein the items of a certain type include a contact point (col. 9 lines 7-16).

Regarding claim 5, Patel teaches the method of claim 4, wherein the contact point includes a universal resource locator (URL) (col. 18 lines 47-58).

Regarding claim 6, Patel the method of claim 4, wherein the contact point a phone number (col. 18 lines 50-53).

Regarding claim 7, Patel teaches the method of claim 1, wherein the contact point includes an address (col. 3 lines 52-58).

Regarding claim 13, Patel teaches the method of claim 1, further comprising updating a database of acceptable items through a registration process (col. 19 lines 5-7).

Regarding claim 14, Patel teaches the method of claim 13, wherein the registration process includes:

receiving a registration message; checking a certificate associated with the message, the certificate confirming that the registration message is from an acceptable

Art Unit: 2155

source, extracting an item from the message; and adding an entry derived from the item to the database of acceptable items (col. 5 lines 4-16 and col.5 line 64-col. 6 line 10).

Regarding claim 17, Patel teaches the method of claim 1, further comprising updating a database of acceptable items by aggregating user input (col. 5 lines 4-16).

Regarding claim 18, Patel teaches the method of claim 17, wherein aggregating user inputs includes:

extracting an item from a user classified messages (col. 19 lines 15-16); and

updating the state of the item based on user classification (col. 19 lines 16-17).

Regarding claim 19, Patel teaches the method of claim 1, further comprising updating a database of acceptable items by post-processing stored messages (col. 19 lines 15-17).

Regarding claim 20, this claim recites a system for performing a method claim 1, discussed above, same rationale of rejection is applicable.

Regarding claim 21, this claim comprises a computer-readable storage medium embedded thereon a program the program being executable by a computer to perform a method claim 1, discussed above, same rationale of rejection is applicable.

Regarding claim 23, Patel teaches the method of claim 1, wherein processing the message in accordance with the classification of the message includes delivering the message to an intended recipient of the message if the message is classified as non-spam (col. 9 line 52-63).

Regarding claim 25, this claim recites claim that is substantially the same as claim 1, discussed above, same rationale of rejection is applicable.

5. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Patel, in view Szutu and Andrews et al. ("Andrew"), US 2003/0204569 A1.

Regarding claim 24, Patel teaches the method of claim 1.

The combination of teachings of Patel and Szutu does not explicitly teach wherein processing the message in accordance with the classification of the message includes further analysis of the message if the classification of the message is indeterminate.

Andrew, in the same e-mail filtering field of endeavor, teaches processing the message in accordance with the classification of the message includes further analysis of the message if the classification of the message is indeterminate (page 4 paragraph 00033]-[0034]).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the combination of teachings of Patel and Szutu to

process the message in accordance with the classification of the message includes further analysis of the message if the classification of the message is indeterminate as taught by Andrew. One would be motivated to do so to enable the incoming message to be extremely cautious examined in order to avoid discarding valid email (Andrew, page 4 paragraph [0035]).

6. Claims 10-11, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patel et al. (hereinafter, Patel), US 7,149,778 B1, in view of Szutu, us 2001/0047391 A1 and Tan et al. ("Tan"), US 2003/0105827 A1.

Regarding claim 10, Patel teaches the method of claim 1.

The combination of teachings of Patel and Szutu does not explicitly teach determining whether the canonical equivalent of each of the items of a certain type meets a criterion further includes computing a signature based on the canonical equivalent.

Tan teaches system and method wherein a contextual prioritization of unified messages into a plurality of context-based categories is provided (abstract). Tan teaches determining whether the canonical equivalent of each of the items of a certain type meets a criterion further includes computing a signature based on the canonical equivalent (page 5 paragraphs [0078]-[0084]).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the combination of teachings of Patel and Szutu to compute a signature based on the canonical equivalent as taught by Tan. One would be motivated to do so to enable a number of minor variations of the same message encountered by the system, as represented by the normalized message signature to be kept track.

Regarding claim 11, Patel-Szutu-Tan teaches the method of claim 10, wherein determining whether each of the items meets the criterion further includes determining whether the signature exists in a database of acceptable signatures (Tan, page 5 paragraphs [0083]-[0084]).

Regarding claim 22, Patel-Szutu-Tan teaches the method of claim 11, further comprising updating database of acceptable signatures through a registration process (Tan, page 5 paragraph [0086]).

Response to Arguments

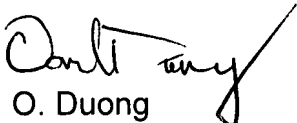
7. Applicant's arguments with respect to claims 1, 3-7, 10-11, 13-14, and 17-24 have been considered but are moot in view of the new ground(s) of rejection.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh Duong whose telephone number is (571) 272-3983. The examiner can normally be reached on Monday- Friday, 9:30PM - 6:00PM.

Art Unit: 2155

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


O. Duong
Primary Examiner
November 25, 2007